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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JAVIER RODRIGUEZ, an individual,  
  
Plaintiff,  
  
vs.

CASE NO.: 2:21-cv-02185-GMN-NJK

TAPIA ENTERPRISES, INC.; DOES 1 through  
10; ROE ENTITIES 11 through 20, inclusive  
jointly and severally,  
  
Defendants.

**STIPULATION AND  
PROPOSED ORDER TO REMAND  
TO STATE COURT**

Plaintiff, JAVIER RODRIGUEZ, an individual (hereinafter “Rodriguez” or “Plaintiff”) and  
Defendant, TAPIA ENTERPRISES, INC. (hereinafter “Tapia” or “Defendant”), by and through  
their undersigned attorneys of record, hereby Stipulate and Agree as follows:

1. Plaintiff filed a Complaint against Defendant in the Eighth Judicial District Court  
for the State of Nevada in the above-captioned action on November 30, 2021.

2. Plaintiff served the Complaint on Defendant on or about December 8, 2021.

3. On December 10, 2021 Tapia removed the matter to this Court pursuant to 28 U.S.C.  
§1331 and 42 U.S.C. §12101, assuming that Plaintiff intended to pursue the federal Americans with  
Disabilities Act (“ADA”) claims listed in his Charge of Discrimination filed with the Nevada Equal  
Rights Commission (“NERC”).

4. On December 15, 2021, Rodriguez filed his Motion to Remand this matter back to the Eighth Judicial District Court for the State of Nevada.

5. Tapia has not yet filed an Opposition to Plaintiff's Motion to Remand.

6. The parties have conferred and agreed that a remand is appropriate since Plaintiff is pursuing only Nevada state claims and is not pursuing any federal claims against Tapia.

7. The Plaintiff and Defendant agree that this case may be remanded back to the Eighth Judicial District court, Clark County, Nevada.

8. The parties enter into this Stipulation in good faith and not for the purpose of delay.

IT IS SO STIPULATED.

DATED this 22<sup>nd</sup> day of December, 2021.

**ALBRIGHT, STODDARD, WARNICK  
& ALBRIGHT**

/s/ G. Mark Albright, Esq.  
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DATED this 22<sup>nd</sup> day of December, 2021.

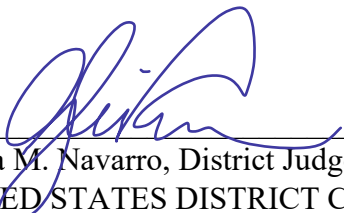
**RICHARD HARRIS LAW FIRM**

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*Attorney for Plaintiff*

### ORDER

**IT IS HEREBY ORDERED** that this case shall be remanded back to the Eighth Judicial District Court, Clark County, Nevada.

Dated this 22 day of December, 2021.

  
Gloria M. Navarro, District Judge  
UNITED STATES DISTRICT COURT